

Order

Michigan Supreme Court
Lansing, Michigan

November 28, 2005

Clifford W. Taylor,
Chief Justice

128599

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

RONALD PULERA,
Plaintiff-Appellee,

v

SC: 128599
COA: 250409
Genesee CC: 2002-074394-CK

STC BROADCASTING, INC.,
d/b/a WEYI-TV,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 8, 2005 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the judgment of the Court of Appeals and REINSTATE the July 24, 2003 opinion and order of the Genesee Circuit Court. Plaintiff admitted in paragraph 10 of his complaint: "Per the terms of the employment contract, plaintiff was to work for Defendant Corporation from April 13, 1998 to December 31, 2000." This admission establishes that the parties' employment contract had a beginning date of April 13, 1998 and an ending date of December 31, 2000. It is undisputed that plaintiff worked for the duration of this period and that defendant paid plaintiff for his work during this period. Defendant therefore had no obligation under the employment contract to pay plaintiff a severance. *New Amsterdam Casualty Company v Sokolowski*, 374 Mich 340 (1965) ("If the language of the contract is clear and unambiguous, it is to be construed according to its plain sense and meaning.").

We do not retain jurisdiction.

CAVANAGH and KELLY, JJ., would deny leave to appeal.



s1122

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 28, 2005

Corbin R. Davis

Clerk